

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NOEL VALDIVIA, SR.,

Petitioner,

No. 2:05-CV-00416 ALA HC

vs.

JILL BROWN, et al.,

Respondents.

ORDER

Pending before the Court is “Respondent’s [sic] Application for a Stay of the Court’s March 14, 2008 Order Granting the Petition for Writ of Habeas Corpus” (doc. 49).

The application’s caption requests an “expedited ruling” by March 26, 2008 for the reason that “the March 14, 2008 Order directs Respondent[s] to comply within thirty days.” *Application for Stay* at 2. Our March 14, 2008 order granted Petitioner’s application for writ of habeas corpus. It also ordered the California Board of Parole Hearings to calculate a term for Petitioner within thirty days of March 14, 2008, and directed Respondents to file a notice with the court “identifying the date set for Petitioner’s release” within forty days of March 14, 2008. Respondents have failed to explain why the filing of their application for stay affects anyone’s ability to comply with the deadlines set in our March 14, 2008 order. The significance of March 26, 2008, is also unclear.

1 THEREFORE, IT IS ORDERED DENYING without prejudice Respondents' request for
2 an expedited ruling. The Court will address the merits of Respondents' application for stay in a
3 subsequent order.

4 Petitioner is directed to file, on or before April 3, 2008, a brief consisting of no more than
5 7 pages, responding to Respondents' application for stay.

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7 DATED: March 19, 2008

8 /s/ Arthur Alarcón
9 UNITED STATES CIRCUIT JUDGE
 Sitting by Designation